

1 RICK A. YARNALL  
2 CHAPTER 13 BANKRUPTCY TRUSTEE  
3 701 Bridger Ave  
Suite 820  
Las Vegas, NV 89101  
(702) 853-4500

E-FILED

4  
5 **UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

6 IN RE:  
7 SONIA LOPEZ

CASE NO: BKS-15-14086-MKN

8 BALLSTAEDT LAW FIRM  
Attorney for the Debtor

CHAPTER 13  
Hearing Date: 10/08/2015  
Hearing Time: 1:30 PM

9  
10 **TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN**  
**COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

11 Chapter 13 Bankruptcy Trustee, RICK A YARNALL, TRUSTEE, hereby objects to confirmation of the Chapter 13  
12 Plan. The Debtor filed for Chapter 13 relief on 07/16/2015. The 341(a) Meeting of Creditors held on 09/01/2015 at 9:00  
13 am was concluded. The Trustee objects to confirmation of the plan for the following reason:

14 • Debtor failed to commence making timely payments under § 1326. Trustee requests that this case be dismissed  
15 pursuant to § 1307(c)(4).

16 In order to complete his investigation into the Debtor's financial affairs, Trustee requires the following  
documentation:

17 • Form B21 and the Declaration re: Electronic Filing of Petition with original signatures;  
18 • Verification of all sources of income received each month through confirmation of the plan;  
19 • Evidence that vehicle payments are current;  
20 • Evidence that mortgage payments are current;  
21 • Paystubs: Profit and Loss statements for Rental property January through June  
22 • Bank Statements: Wells Fargo #3327 January 1st through 23rd  
23 • Copy of Rental Agreement

1     ● Other: Provide documentation as to source of large deposits and use of funds:  
 2     Wells Fargo #3327 May 7th \$2500 deposit. Provide explanation of basis for disputing debt(s) on Schedule D.  
 3     ● Other: Provide a complete list of all business assets, equipment, inventory, & A/R with value fro Behavioral  
 4     Counseling of Las Vegas, LLC.  
 5     ● Other: Provide documentation to support entertainment expense as stated on Schedule J. file change of address

6                 Trustee asks that this Court allow him to supplement this opposition after all required documents have been  
 7     provided to the Trustee. In the event that the documents are not provided, Trustee requests that the case be dismissed  
 8     pursuant to § 521(a)(3).

9                 Trustee requests that the following amendments are made:

10   ● Schedule I: to include business location;  
 11   ● The Statement of Financial Affairs Lines 1-2 to list prior years of income;  
 12   ● The Statement of Financial Affairs Lines 18-25 must be completed;

13                 Trustee objects to the following exemptions claimed on Schedule C:

14   ● Other: Tax refund exempted under NRS 21.90(1)(z)Must state an actual value

15     These objections increase Debtor's commitment period, therefore Trustee requests that confirmation of the plan be  
 Denied.

16                 Trustee objects to the following lines on the Debtor's Form B22C2:

17   ● Line 43 - Deductions for Special Circumstances: Provide documentation to support business expenses.

18     These objections increase the Debtor's disposable income. Debtor's plan does not provide for all of Debtor's  
 disposable income, therefore Trustee requests that confirmation of the plan be denied.

19                 Trustee further opposes confirmation for the following reasons:

20   ● Plan requires the Debtor to value property. Trustee asks that this Court withhold from confirming the instant plan  
 until an order valuing the property has been entered;  
 23   ● Other: Section 1.05 incomplete.

24     Section 1.11 tax refunds to be turned over 2015-2019; Section 2.19 is insufficient to support.

1 Trustee reserves the right to make further objections to confirmation and requests for documentation until the above  
2 mentioned documents have been received, amendments have been made, and the plan is ultimately confirmed or  
3 dismissed. In the event that the Debtor(s) fail to timely resolve Trustee's objection to confirmation, Trustee requests that  
4 confirmation be denied and the case be dismissed.

5 Therefore, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed.

6 DATED this 1st day of September, 2015.

7  
8 /s/ Rick A. Yarnall

9 RICK A. YARNALL

10 Chapter 13 Bankruptcy Trustee

11 701 Bridger Ave, Suite 820

12 Las Vegas, Nevada 89101

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24